IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

Crl.Rev.Pet.No. 1542 of 2007()

CRA.332/2006 of II ADDL.SESSIONS COURT, ERNAKULAM
CC.975/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER: PETITIONERS/APPELLANTS 1 & 2/ACCUSED 1 & 2

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1. M/S. BRILLIANT MARINE EXPORTS, G-13,
   PANAMPILLY NAGAR, ERNAKULAM, KOCHI-36.

2. R.SIVAKUMAR,
   MANAGING PARTNER, AGED 36, S/O. LATE S.RATHNAM
   PILLAI, M/S. BRILLIANT MARINE EXPORTS, G-13,
   PANAMPILLY NAGAR, ERNAKULAM, KOCHI-36.

BY ADV. SRI.S.NIRMAL KUMAR

RESPONDENTS: RESPONDENTS/STATE AND COMPLAINANT

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1. THE STATE OF KERALA, REPRESENTED BY
   THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. M/S. SOL ENTERPRISES,
   1ST FLOOR, SHAN SHAM TOWER, PANAYAPPILLY,
   KOCHI-2, REPRESENTED BY ITS POWER OF ATTORNEY
   HOLDER, SRI. RAJKUMAR, PARASRAM PURIA.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 10/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No.1542 of 2007

Dated this the 10th day of April, 2007

O R D E R

The revision petitioners stand convicted for the offence under Section 138 of the Negotiable Instruments Act and the second accused who is the Managing Partner of the first accused firm is sentenced to imprisonment till the rising of the court and to pay a compensation of 50% of Rs.3,30,000/- to the complainant vide Section 357(3) of the Code of Crl.P.C. and in default, to undergo simple imprisonment for six months.

2. Counsel for the revision petitioner has only sought for time to deposit the amount. In the circumstances, revision petitioner is granted six months' time to deposit the amount, less the amount if any already deposited. Revision petitioner shall appear before the Judicial First Class Magistrate Court-II, Kochi on 12.10.2007 to receive the sentence.

The criminal revision petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl